

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO,
et al.,

Defendants.

CIVIL NO. 12-2039 (GAG)

**MOTION FOR EXTENSION OF TIME TO
COMMENCE THE NEW POLICE ACADEMY**

TO THE HONORABLE COURT:

COMES NOW Defendants Commonwealth of Puerto Rico and Puerto Rico Police Bureau (“Defendants” and/or “PRPB”), by and through the undersigned counsel, and respectfully state and pray as follows:

1. The Court set February 2019 as the target date for the commencement of the Academy noting in an Order issued on October 19, 2018 “[t]hat the total enrollment is not as important as the start and fluidity of the new class.” D.E. 986.
2. Pursuant to the Court’s Order, the PRPB made the recruitment of candidates for the Academy a top and urgent priority. On January 15, 2019, Defendants respectfully informed this Honorable Court that the PRPB was making its utmost effort to meet the target date of February 2019 for the commencement of the new Academy class. D.E. 1081.
3. Despite the PRPB’s absolute engagement in the recruitment efforts which started in mid-November 2019, due to the complex nature of the evaluation process and requirements for admission, as of this date only 41 candidates successfully completed the process and were sworn

in today. While 41 candidates is an improvement to the number of candidates (13) approved as of February 15th, 2019, the PRPB respectfully submits that an incoming class composed of more cadets would better serve the interests of the Academy, the PRPB and the Reform process, for the reasons explained below.

4. Although the PRPB shares with the Court an interest in commencing the Academy as soon as possible, the PRPB submits that commencing classes at the Academy with only 41 cadets in order to comply with the February 2019 target date could (i) jeopardize the PRPB's recruitment process, (ii) negatively impact the overall educational experience of the candidates, or at a minimum not provide the diverse and rich experience that is an integral component of the education experience, and (iii) result in a process that is not cost-efficient.

5. The Agreement of the Sustainable Reform of the PRPB (the "Agreement") requires the PRPB to develop a comprehensive recruitment and hiring program that successfully attracts a diverse pool of applicants and hires qualified individuals from a broad cross-section of the community. D.E. 57, ¶¶ 101, 102 and 103.

6. The PRB is concerned that a first Academy of only 41 cadets could be inaccurately perceived by the general public as PRPB's inability to attract qualified candidates, potentially resulting in a self-fulfilling prophecy.

7. This could potentially affect the capacity of the PRPB to successfully recruit a significant and necessary number of candidates.

8. Moreover, it is critical that the PRPB recruits broadly reflect the diversity of the communities that they will serve. Having a diverse police force deepens trust in law enforcement and serves as a critically important tool to build trust with communities. Thus, ensuring a broad range of candidates for the Academy is essential.

9. A small first Academy will, as a consequence of size, lack the broadness and diversity of candidates required by the Agreement. In addition, it will deny the candidates the opportunity to have rich and diverse academic and interpersonal experiences, both important elements for the formation and growth of the individuals the PRPB needs in its police force and the Agreement requires.

10. Finally, an Academy with more candidates makes more fiscal sense considering the fiscal situation of the PRPB.

11. The PRPB continues to forge ahead with its recruitment efforts, as a result of which the number of admitted candidates is expected to increase to approximately 90 by the end of April 2019.

12. Accordingly, and for the aforesaid reasons, PRPB respectfully requests from the Court an extension to commence the new Police Academy, which commencement date shall be no later than April 30, 2019. PRPB proposes that, during the extension period, the 41 candidates already admitted to the Academy and sworn in, be incorporated into an immersion program at the Academy and the PRPB, while efforts to increase the number of admitted candidates continue.

13. As mentioned above, PRPB estimates that by the end of April 2019 the number of admitted candidates should increase to approximately 90. An Academy with more than twice the number of cadets will significantly increase the potential for diversity and representation of a broader cross-section of our communities, as well as enrich the learning environment for the admitted candidates. It will also be more cost-effective.

14. In addition, presenting a strong and robust new Police Academy to the general public will enhance the public perception of the Reform and the PRPB, and hopefully increase the interest of potential candidates in joining the PRPB.

WHEREFORE, Defendants respectfully request that the Court **GRANT** this motion and enter an order extending the Academy commencement date to no later than April 30, 2019.

RESPECTFULLY SUBMITTED.

WE HEREBY CERTIFY: That today we have electronically filed the foregoing document with the Clerk of the Court for the District of Puerto Rico, using the CM/ECF system which will send a copy and notification of filing to all counsel of record.

In San Juan, Puerto Rico, this 27th day of February, 2019.

By:

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